

# NENA

## The 9-1-1 Association

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1700 Diagonal Road | Suite 500 | Alexandria, VA 22314

Ms. Marlene H. Dortch, *Secretary*  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

May 25<sup>th</sup>, 2013

*In re* Improving 9-1-1 Reliability; Reliability and Continuity of Communications Networks Including Broadband Technologies. PS Dockets Nos. 13-75 & 11-60.

Dear Ms. Dortch:

On May 24<sup>th</sup>, 2013, the undersigned, Trey Forgety, Director of Government Affairs and Regulatory Counsel, along with NENA CEO Dr. Brian Fontes and Law Clerk Brad Tucker made an *ex parte* presentation to representatives of the Commission's Public Safety and Homeland Security Bureau with respect to the above-captioned proceedings. Present on behalf of the Bureau were Lauren Kravetz, Michael Connolly, and Eric Schmidt.

During our presentation, we explained NENA's views on three particular issues raised in the Commission's pending *Notice of Proposed Rulemaking*. *First*, we explained NENA's view that the Commission's revised § 4.9 rules should require notification of PSAPs on a very short time frame. In particular, we explained that the proposed use of the term "immediately" in the Commission's rules should be refined to require an initial notification within 15 to 30 minutes (maximum) of the discovery of an outage. Further, we noted that the requirement under the PSAP notification rule should substantially differ from that under the Commission's general network outage reporting rules: NENA believes that PSAP notification should be required within no more than 30 minutes of the *discovery of an outage*. As NENA reads the Commission's rules, this differs from the other Part 4 outage reporting requirements, which require that a report be filed with the Commission within a certain period after *discovery that an outage is reportable*. *Second*, we clarified that we do not believe that a single initial contact, which may lack detail, should be sufficient. We recommended that the Commission consider requiring regular supplemental notices, no less than twice per day, to keep PSAPs up-to-date as carriers and other service providers gain further information about an outage. We also noted that while telephone and email contacts should be mandatory, PSAPs, carriers, and service providers should be free to adopt other notification methods, provided that PSAPs have a legitimate private choice as to whether they will adopt any particular method offered by a carrier or service provider. *Third*, we discussed the appropriate demarcation point for determining responsibility for physical route diversity requirements. We expressed NENA's view that diversity of circuits connecting end office switches with selective routers, as well as those connecting selective routers with the main distribution frames (or their equivalents) of end offices serving PSAPs should be the responsibility of carriers or service providers while the

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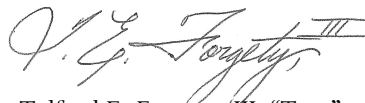
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diversity of circuits connecting the “outside” faces of main distribution frames with PSAPs should be the responsibility of PSAPs and 9-1-1 authorities.

Should you have any questions concerning this presentation, please contact me as below.

Sincerely,

A handwritten signature in black ink, reading "T. E. Forgy, III". The signature is fluid and cursive, with the "III" at the end being more formal and upright.

Telford E. Forgy, III; “Trey”

*Director of Government Affairs  
& Regulatory Counsel*

CC: Lauren Kravetz, PSHSB  
Michael Connolly, PSHSB  
Eric Schmidt, PSHSB